

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**GILBERT JAMES,**

**Plaintiff,**

**v.**

**Civil Action No. 3:11cv00221**

**ENCORE CAPITAL GROUP, INC., *et al.***

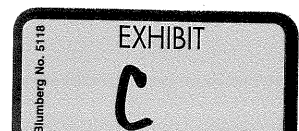
**Defendants.**

**DEFENDANTS' PRIVILEGE LOG**

Defendants, Encore Capital Group, Inc., Midland Funding, LLC, and Midland Credit Management, Inc. (collectively, "the Midland Defendants"), by counsel, submit the following log of confidential communications between attorney and client, either seeking or providing legal advice, and/or materials prepared in anticipation of this litigation.

As currently drafted, Plaintiff's Requests for Production are both objectionable and seek the production of a substantial volume of privileged information. The Midland Defendants have objected to many of Plaintiff's Requests for Production and have therefore not logged documents that are implicated by those objectionable requests.

The Midland Defendants will supplement these responses to the extent required by the Federal Rules of Civil Procedure and/or Court Order. In particular, the Midland Defendants will appropriately log any privileged, electronically stored information upon agreement with counsel for Plaintiff as to reasonable search terms and other limitations (*e.g.*, time, custodians), and upon the subsequent production of such documents.



AC = Attorney Client Privilege  
 WP = Work Product Doctrine  
 R = Redacted  
 W = Withheld

Doc No.	Date	Author	Recipients	Description	Basis	Action Taken
1	12/2010	Encore Capital Group, Inc. Legal Department	Various third party law firms	Internally-generated "Standard Operating Procedures" for third party law firms detailing the contents of the "Midland Credit Management Firm Manual" and providing instructions to such law firms in connection with collection actions	AC	W
2	3/1/2010	Encore Capital Group, Inc. Legal Department	Various third party law firms	Internally-generated "MCM Firm Training Placement Data and Conduct Guidelines" for third party law firms providing instructions to such law firms in connection with collection actions	AC	W
3	3/1/2011	Midland Credit Management, Inc. Legal Department	Various third party law firms	Internally-generated "MCM Firm Manual" for distribution to third-party law firms providing instructions to such law firms in connection with collection actions	AC	W
4	1/2010	Midland Credit Management, Inc. Legal Department	Various third party law firms	Internally-generated "MCM Firm Training Placement Data and Conduct Guides" manual for distribution to third-party law firms providing instructions to such law firms in connection with collection actions	AC	W
5	10/2010	Midland Credit Management, Inc. Legal	Various third party law firms	Internally-generated "Legal Outsourcing Firm Training Manual" for	AC	W

		Department		distribution to third-party law firms providing instructions to such law firms in connection with collection actions		
6	Not listed	Midland Credit Management, Inc. Legal Department	Various third party law firms	Internally-generated "Legal Outsourcing Firm Training Manual" for distribution to third-party law firms providing instructions to such law firms in connection with collection actions	AC	W
7	Not listed	Midland Credit Management, Inc. Legal Department	Various third party law firms	"MCM Status Code List" manual setting forth the preferred list of codes to third-party law firms for communication with the Midland Defendants and providing instructions to such law firms in connection with collections actions	AC	W
8	10/15/2009	Midland Credit Management, Inc. Legal Department	Various third party law firms	"Status Code Process" manual setting forth the preferred list of codes to third-party law firms for communication with the Midland Defendants and providing instructions to such law firms in connection with collection actions	AC	W
9	1/24/2006	Midland Credit Management, Inc. Legal Department	Dominion Law Associates	Exhibit B to the "Collection Agreement" setting forth the "account handling procedures" to be used in connection with collection actions	AC	W
10	4/7/11 to date	Various authors	Various recipients	Attorney notes, research, internal communications and like documents prepared after the filing of the above-captioned matter	WP	W
11	4/7/11 to	Various	Various	Communications between	AC	W

	date <sup>1</sup>	authors	recipients	lawyers and personnel of Troutman Sanders and the Midland Defendants relating to the legal representation of the Midland Defendants in this matter after the filing of the above-captioned action		
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**ENCORE CAPITAL GROUP, INC.,  
MIDLAND FUNDING, LLC and  
MIDLAND CREDIT MANAGEMENT, INC.**

By:    
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<sup>1</sup> This categorical identification of documents created post-filing of the Complaint is considered to satisfy any identification requirements necessary to properly assert privilege for this and the immediately-preceding category of documents. See Advisory Committee notes to 1993 Amendments to Fed. R. Civ. P. 26(b).

**CERTIFICATE OF SERVICE**

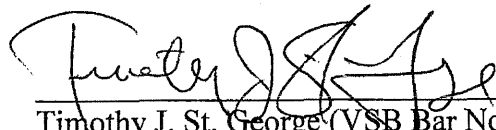
I hereby certify that on the 17th day of October, 2011, I sent a true and correct copy of the foregoing by Federal Express and by email to:

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